

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**ERIE COUNTY ENVIRONMENTAL  
COALITION, PENNENVIRONMENT,  
INC. and THE GAIA DEFENSE LEAGUE,  
Plaintiffs** )

v. )

**MILLCREEK TOWNSHIP SEWER  
AUTHORITY AND MILLCREEK  
TOWNSHIP,  
Defendants** )

**CIVIL ACTION NO. 05-59 ERIE  
ELECTRONICALLY FILED**

**MOTION TO QUASH SUBPOENAS AND FOR PROTECTIVE ORDER**

Plaintiffs Erie County Environmental Coalition, PennEnvironment, Inc., and The Gaia Defense League hereby move this Court, pursuant to the Federal Rules of Civil Procedure Rules 26(c) and 45 (c), for an Order to quash subpoenas and granting protection from the request by the Defendants Millcreek Township Sewer Authority and Millcreek Township (collectively, “Defendants”) to depose Plaintiffs’ ten standing witnesses. Depositions of the standing witnesses are to begin February 13, 2006.

For the reasons stated in the accompanying Memorandum of Law, Plaintiffs respectfully request that the Court quash the subpoenas and issue a protective order declaring that depositions of Plaintiffs’ standing witnesses are inappropriate.

Attached hereto is a proposed Order.

Respectfully submitted,

s/ Jennifer A. Murphy  
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**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing document by electronic means utilizing the Court's CM/ECF system that will serve notice of electronic filing to Mark J. Shaw, Esq., McDonald, Illig, Jones & Britton, LLP, Attorney for Defendants on this 31<sup>st</sup> day of January, 2006.

/s/ Jennifer A. Murphy  
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